

REMARKS

Claims 1-31 were pending in the present application. Claims 1-27 and 29-31 have been allowed by the Examiner. By virtue of this response, claim 28 has been amended, no claims have been cancelled, and no new claims have been added. Accordingly, claims 1-31 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

A. Objection to Claim 28

Claim 28 was objected to by the Examiner in the Office Action dated October 6, 2004. In particular, the Examiner objected that the claim recited that the “third layer has a higher In content than the third layer.” By virtue of the amendment, Applicants have clarified that claim 28 recites that the third layer surrounds a fourth layer which has a higher In content than the third layer. And example of this embodiment is shown in Fig. 12A of the specification, which shows a third layer (256) surrounding a fourth layer (250) that has a higher In content.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of claim 28 and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 245402007500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

Richard Shoop

Registration No.: 45,763

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5804